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**BEFORE THE
BUREAU OF REAL ESTATE APPRAISERS
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

**ANTHEM MARKETING SERVICES,
INC., DOING BUSINESS AS APEX
APPRAISALS
10900 E. 183rd Street, #285C
Cerritos, CA 90703**

**California Appraisal Management
Company Registration No. 3005204,**

Respondent.

Case No. L20200626-03

DEFAULT DECISION AND ORDER

[Gov. Code, §11520]

FINDINGS OF FACT

1. On or about July 27, 2020, Aaron Klinger, in his official capacity as the Chief of Enforcement of the Bureau of Real Estate Appraisers (“Complainant”), filed Accusation No. L20200626-03 against Respondent Anthem Marketing Services, Inc., doing business as Apex Appraisals (“Respondent”) before the Bureau of Real Estate Appraisers. (Accusation attached as **Exhibit A.**)

2. On or about April 10, 2018, the Bureau of Real Estate Appraisers (formerly Office of Real Estate Appraisers, referred to herein as the “Bureau” or “BREA”) issued California Appraisal Management Company (“AMC”) Registration Number 3005204 to Respondent. The

1 AMC Registration was in full force and effect at all times relevant to the charges brought herein
2 and will expire on April 9, 2022, unless renewed. Vincent D. Martinez is Respondent's
3 Designated Officer and the only designated Controlling Person.

4 3. On or about July 30, 2020, Respondent was served by Certified and First Class Mail
5 copies of the Accusation No. L20200626-03, Statement to Respondent, Notice of Defense,
6 Request for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6,
7 and 11507.7) at Respondent's address of record which, pursuant to Title 10, California Code of
8 Regulations, section 3527, is required to be reported and maintained with the Bureau.
9 Respondent's address of record was and is: 10900 E. 183rd Street, #285C, Cerritos, CA 90703.

10 4. Service of the Accusation was effective as a matter of law under the provisions of
11 Government Code section 11505(c) and/or Business and Professions Code section 124.

12 5. Government Code section 11506(c) states, in pertinent part:

13 (c) The respondent shall be entitled to a hearing on the merits if the respondent
14 files a notice of defense . . . and the notice shall be deemed a specific denial of all
15 parts of the accusation . . . not expressly admitted. Failure to file a notice of defense
16 . . . shall constitute a waiver of respondent's right to a hearing, but the agency in its
17 discretion may nevertheless grant a hearing.

18 6. The Bureau takes official notice of its records and the fact that Respondent failed to
19 file a Notice of Defense within 15 days after service upon it of the Accusation, and therefore
20 waived its right to a hearing on the merits of Accusation No. L20200626-03.

21 7. California Government Code section 11520(a) states, in pertinent part:

22 (a) If the respondent either fails to file a notice of defense . . . or to appear at
23 the hearing, the agency may take action based upon the respondent's express
24 admissions or upon other evidence and affidavits may be used as evidence without
25 any notice to respondent

26 8. Pursuant to its authority under Government Code section 11520, the Bureau finds
27 Respondent is in default. The Bureau will take action without further hearing and, based on the
28 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as
taking official notice of all the investigatory reports, exhibits and statements contained therein on
file at the Bureau's offices regarding the allegations contained in Accusation No. L20200626-03,

1 finds that the charges and allegations in Accusation No. L20200626-03, are separately and
2 severally, found to be true and correct by clear and convincing evidence.

3 9. The Bureau finds that the actual costs for Investigation and Enforcement are
4 \$2,170.00 as of August 17, 2020.

5 **DETERMINATION OF ISSUES**

6 1. Based on the foregoing findings of fact, Respondent Anthem Marketing Services,
7 Inc., doing business as Apex Appraisals has subjected its Appraisal Management Company
8 Registration Number 3005204 to discipline.

9 2. The agency has jurisdiction to adjudicate this case by default.

10 3. The Bureau of Real Estate Appraisers is authorized to revoke Respondent's AMC
11 Registration based upon the following violations alleged in the Accusation which are supported
12 by the evidence contained in the Default Decision Evidence Packet in this case:

13 a. California Code of Regulations, title 10, section 3721, subdivision (a)(7), in
14 conjunction with Business and Professions Code section 11345.05 and California Code of
15 Regulations, title 10, section 3527, subdivision (b), in that Respondent failed to file an Appraisal
16 Management Company Change Notification and Miscellaneous Requests Form REA 5011 (Rev.
17 1/1/17), indicating that Meriam Martinez was a controlling person of Respondent within ten days
18 of becoming aware of this change.

19 b. California Code of Regulations, title 10, section 3721, subdivision (a)(7), since
20 Respondent failed to provide information and documents to the Bureau that the Bureau requested
21 as part of its audit of Respondent. As of the date of the accusation, Respondent has not responded
22 to the Bureau's written inquiries and has not provided the Bureau with copies of the material as
23 requested.

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ORDER

IT IS SO ORDERED that Appraisal Management Company Registration Number 3005204, issued to Respondent Anthem Marketing Services, Inc., doing business as Apex Appraisals, is revoked.

Cost Recovery. After reviewing its files and records, the Bureau finds that the reasonable cost of investigation and enforcement of Accusation No. L20200626-03 is \$2,170.00. Pursuant to Business and Professions Code section 11409, subdivision (a), the Bureau orders that Respondent pay the full investigation and enforcements costs to the Bureau. However, the Bureau will forgo its right to recover these costs at this time. Should Respondent apply in the future for any license issued by the Bureau, said costs of investigation and enforcement will become due and payable before any new or reinstated license will be issued to Respondent.

Administrative Fine. Pursuant to Business and Professions Code section 11316, Respondent Anthem Marketing Services, Inc., doing business as Apex Appraisals, is ordered to pay the Bureau of Real Estate Appraisers an administrative fine in the amount of \$10,000.00. If the fine is not paid, the full amount of the assessed fine shall be added to any fee for reinstatement of a license.

Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a written motion requesting that the Decision be vacated and stating the grounds relied on within seven (7) days after service of the Decision on Respondent. The agency in its discretion may vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

This Decision shall become effective on _____.

It is so ORDERED _____

CHIEF OF THE BUREAU OF REAL ESTATE
APPRAISERS
DEPARTMENT OF CONSUMER AFFAIRS

63512545.DOCX
DOJ Matter ID: SF2020400649
Attachment: Exhibit A: Accusation

Exhibit A

Accusation

**BEFORE THE
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DEPARTMENT OF CONSUMER AFFAIRS
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10900 E. 183rd Street, #285C
Cerritos, CA 90703**

**California Appraisal Management
Company Registration No. 3005204,**

Respondent.

Case No. L20200626-03

**DEFAULT DECISION INVESTIGATORY
EVIDENCE PACKET**

[Gov. Code §11520]

The Default Decision Investigatory Evidence Packet in support of the Default Decision and Order in the above entitled matter consists of the following.

Exhibit 1: Pleadings offered for jurisdictional purposes: Accusation No. L20200626-03, Statement to Respondent, Notice of Defense (two blank copies), Request for Discovery and Discovery Statutes (Government Code sections 11507.5, 11507.6 and 11507.7), proofs of service;

Exhibit 2: License History Certification for Anthem Marketing Services, Inc., doing business as Apex Appraisals;

Exhibit 3: Declaration of Stephen D. Svetich regarding Enforcement Costs;

Exhibit 4: October 31 2019, Statement of Information filing with the California Secretary of State;

Exhibit 5: July 6, 2020, Statement of Information filing with the California Secretary of State;

Exhibit 6: Correspondence from the Bureau of Real Estate Appraisers to Respondent Anthem Marketing Services, Inc., doing business as Apex Appraisals, dated April 13, 2020; and

Exhibit 7: Correspondence from the Bureau of Real Estate Appraisers to Respondent Anthem Marketing Services, Inc., doing business as Apex Appraisals, dated May 1, 2020.

Dated: August 19, 2020

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
LINDA L. SUN
Supervising Deputy Attorney General

STEPHEN D. SVETICH
Deputy Attorney General
Attorneys for Complainant

Exhibit 1

Accusation No. L20200626-03
Statement to Respondent, Notice of Defense, Request for
Discovery and Discovery Statutes, Proofs of Service

Exhibit 2

License History Certification for Respondent
Anthem Marketing Services, Inc., doing business as Apex Appraisals

Exhibit 3

Declaration of Stephen D. Svetich regarding Enforcement Costs

Exhibit 4

October 31 2019, Statement of Information filing with the California Secretary of State

Exhibit 5

July 6, 2020, Statement of Information filing with the California Secretary of State

Exhibit 6

Correspondence from the Bureau of Real Estate Appraisers to Respondent Anthem Marketing Services, Inc., doing business as Apex Appraisals, dated April 13, 2020

Exhibit 7

Correspondence from the Bureau of Real Estate Appraisers to Respondent Anthem Marketing Services, Inc., doing business as Apex Appraisals, dated May 1, 2020